

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

5686

U.S. APPLICATION NO.

10/089,231

INTERNATIONAL APPLICATION NO.
PCT/DE00/02753INTERNATIONAL FILING DATE
August 12, 2000PRIORITY DATE CLAIMED
September 28, 1999

TITLE OF INVENTION: DEVICE AND METHOD FOR CHARACTERIZING SPHEROIDS

APPLICANT(S) FOR DO/EO/US: Hagen THIELECKE and Andrea ROBITZKI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (Executed)
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) (including amended claims 1 and 7-10).
Items 11 to 20 below concern document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items of information:

NOTE: \$130 surcharge for filing executed declaration later than 30 months was submitted on March 28, 2002.
\$130 surcharge for filing verified English translation later than 30 months was submitted on March 28, 2002.

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO.....\$1,040International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO.....\$ 890International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$ 740International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$ 710International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4).....\$ 100**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS FOR PTO USE ONLY**Surcharge of \$130.00 for furnishing the oath or declaration later than
months from the earliest claimed priority date (37 CFR 1.492(e)).☐ 20 ☐ 30

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$ 18.00	\$	
Independent claims	- 03 =		x \$ 84.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$280.00	\$	

TOTAL OF ABOVE CALCULATIONS =

\$

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$

SUBTOTAL =

\$

☐ Processing fee of \$130 for furnishing the English translation later than
months from the earliest claimed priority date (37 CFR 1.492(f)).☐ 20 ☐ 30

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

\$

TOTAL FEES ENCLOSED =

\$

Amount to be
refunded:

\$

charged:

\$

a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 02-3690. ~~A duplicate copy of this sheet is enclosed.~~d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information
should not be included on this form. Provide credit card information and authorization on PTO-2038.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be
filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

BREINER & BREINER, L.L.C.
115 North Henry Street
P.O. Box 19290
Alexandria, Virginia 22320-0290

Date: May 15, 2002

SIGNATURE

Mary J. Breiner
NAME33,161
REGISTRATION NUMBER